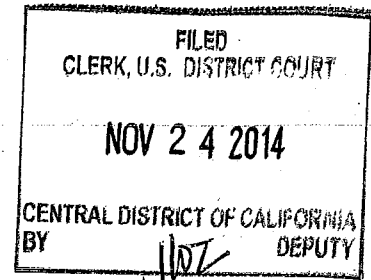


IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA



TRACY BELL,
Defendant/Petitioner,

-vs-

UNITED STATES OF AMERICA,
Plaintiff/Respondent.

CASE No.: 2:11-CR-00383-PA

MOTION FOR MODIFICATION IN TERM OF IMPRISONMENT
PURSUANT TO TITLE 18 U.S.C.. §3582(c)(2)

COMES NOW, Tracy Bell, the defendant in the above referenced cause of action and respectfully files his Motion for Modification in his 125 month term of imprisonment pursuant to Title 18 U.S.C. §3582(c)(2) and U.S.S.G. Amendment 782. In support thereof, the defendant states the following:

1. On August 29, 2011, this Honorable Court imposed a 125 month term of imprisonment on the defendant, to be followed by three (3) years supervised release after a plea of guilty to possession w/intent to distribute cocaine base in violation of Title 21 U.S.C. §841(a)(1), (b)(1)(C).
2. The defendant's base offense level was calculated at 23, with a criminal history category of VI, resulting in a sentencing range of 92-115 months.
3. U.S.S.G. Amendment 782, commonly referred to as "All Drugs Minus 2" has the effect of lowering the defendant's sentencing range from 92-115 months to 77-96 months.

Under title 18 U.S.C. §3582(c)(2), the court may not modify a term of imprisonment once it has been imposed except that --

- (2) in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. §994(o), upon motion of the defendant, or the director of the bureau of prisons, or on its own motion the court may reduce the term of imprisonment, after considering the factors set forth in Section 3553(a) to the extent that they are applicable, if such a reduction is consistent with applicable policy statement issued by the Sentencing Commission.

The defendant in this case has been sentenced to a term of imprisonment based on a sentencing range that has been lowered by U.S.S.G. Amendment 782.

The defendant asserts that a reduction in his sentence would be consistent with applicable policy statements issued by the Sentencing Commission as he would not be eligible for release until after November 1, 2015.

In determining whether, and to what extent to reduce the particular sentence, the court shall consider -

- (1) the nature and circumstances of the offense and the history and characteristics of the defendant;

The nature and circumstances of the offense for this defendant shows that the defendant was involved with the distribution of 13 grams of cocaine base crack. The facts established shows that the defendant has a history of petty marijuana convictions throughout his life. That the defendant received Social Security Disability benefits as a result of his childhood trauma. The defendant, as a child, was in and out of Child Protective Services and experienced mental and emotional distress. The defendant did not complete school and has several defecencies.

- 2) the need for the sentence imposed --

A modification in the term of imprisonment from 125 months to 96 months would reflect the seriousness of the crack cocaine offense, promote respect for the law, and provide just punishment for the offense.

The defendant asserts that, during his incarceration he has diligently sought to achieve his GED in hopes of bettering his chances of gaining employment upon his release. The defendant has a strong desire to hold a job and not depend on Social Security benefits, which has only enabled him to use that idle time in the streets experementing with drugs. The defendant has enrolled in and completed other courses to aid in his rehabilitation. **SEE ATTACHED INMATE EDUCATION DATA TRANSCRIPT**

It is the defendant's desire to work as a youth counselor upon his release. Once the defendant obtains his GED, the defendant plans to participate in the Microsoft Office Applications and Building Trades vocational training courses to improve his computer literacy and gain skilss in roofing, internal

and external walls, and other necessary skills for building houses to improve his chances of gaining meaningful employment upon release.

The defendant asserts that a sentence of 96 months would allow him the opportunity to enroll in and complete AA/NA, Rational Recovery from Drugs, Non Residential Drug Program, Doing Time With The Right Mind, and the 500 Hour Residential Drug Abuse correctional treatment programs.

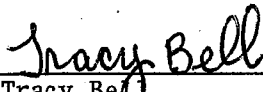
Based on the foregoing, this Honorable Court should find that a modification in the defendant's sentence from 125 months to 96 months would provide just punishment for the offense, afford adequate deterrence to criminal conduct (§3553(2)(B)), serves to protect the public from further crimes of the defendant (§3553(2)(C)), and would provide the defendant with the needed educational and vocational training, and other correctional treatment in the most effective manner (§3553(2)(D)) to serve the purposes of sentencing.

CONCLUSION

The defendant prays that this Honorable Court will exercise its discretion and grant a modification in the defendant's term of imprisonment, finding that a sentence of 96 months is sufficient, but not greater than necessary to serve the purposes set forth therein §3553.

CERTIFICATE OF SERVICE

I, Tracy Bell certify that a copy of the foregoing Motion for Modification of Sentence has been placed in a sealed envelope marked "LEGAL MAIL," with adequate first class postage and personally hand delivered to the institution mail room staff, addressed to the Clerk of Court, 312 North Spring Street, Room G-8, Los Angeles, CA 90012-4701, for depositing in the U.S. Postal Mail on this the 17 day of November, 2014.


Tracy Bell

FLFI5 *
PAGE 001 OF 001 *

INMATE EDUCATION DATA
TRANSCRIPT

* 11-04-2014
* 06:53:45

REGISTER NO: 60527-112 NAME.: BELL
FORMAT.....: TRANSCRIPT RSP OF: FLF-FLORENCE FCI

FUNC: PRT

----- EDUCATION INFORMATION -----

FACL	ASSIGNMENT DESCRIPTION	START DATE/TIME	STOP DATE/TIME
FLF ESL HAS	ENGLISH PROFICIENT	09-23-2011 0001	CURRENT
FLF GED EP	ENROLL GED PROMOTE W/CAUSE	09-25-2013 1527	CURRENT
FLF GED SAT	GED PROGRESS SATISFACTORY	12-28-2012 0001	CURRENT

----- EDUCATION COURSES -----

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
FLF	ABDOMINALS 0615	10-14-2014	CURRENT				
SAF	R-6 ENGLISH GED 1 2:00-3:30	01-10-2014	09-19-2014	P	W	I	340
SAF	R-6 ENGLISH GED 4 7:00-9:00	07-16-2013	01-10-2014	C	W	I	0
SAF	MONEY MECHANICS ACE PGM	10-02-2013	12-18-2013	P	C	P	24
SAF	CLASSIC MOVIES	07-07-2013	09-02-2013	P	C	P	2
SAF	FUNDAMENTALS OF SEWING POLE	07-01-2013	07-19-2013	P	C	P	25
SAF	R-1/HLT AIDS AWARE	06-19-2013	06-19-2013	P	C	P	1
VVM	GED 2, 9:00 - 10:30 A.M., M-F	04-18-2012	06-03-2013	P	W	I	390
VVM	AFRICAN-AMERICAN STUDIES	02-07-2012	02-28-2012	P	C	P	10

----- HIGH TEST SCORES -----

TEST	SUBTEST	SCORE	TEST DATE	TEST FACL	FORM	STATE
GED PRAC	LIT/ARTS	420.0	02-26-2014	SAF	PA	AZ
	SCIENCE	380.0	04-04-2014	SAF	PA	AZ
	SOC STUDY	400.0	10-10-2013	SAF	PB	
TABE M	BATTERY	4.3	02-08-2012	VVM	0	
	LANG MECH	1.4	02-08-2012	VVM	0	
	LANGUAGE	3.3	02-08-2012	VVM	0	
	MATH APPL	2.9	02-08-2012	VVM	0	
	MATH COMP	4.6	02-08-2012	VVM	0	
	READING	6.2	02-08-2012	VVM	0	
	SPELLING	7.4	02-08-2012	VVM	0	
	TOTAL MATH	3.6	02-08-2012	VVM	0	
	VOCABULARY	6.6	02-08-2012	VVM	0	

G0000

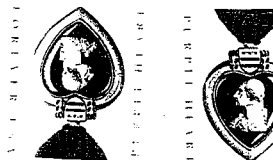
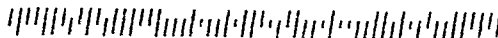
TRANSACTION SUCCESSFULLY COMPLETED

TRACY BELL #60527-112

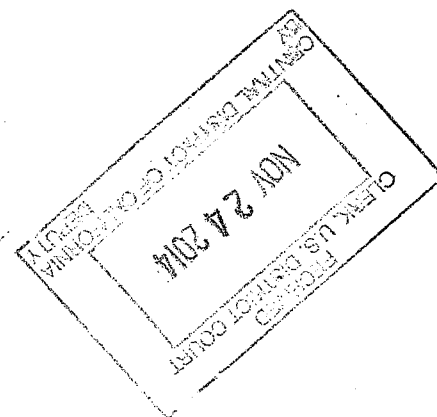
FEDERAL CORRECTIONAL INSTITUTION

POST OFFICE BOX 6000

FLORENCE, COLORADO 81226



RA



LEGAL MAIL

LEGAL MAIL

⇔60527-112⇔
Court Clerk
312 N Spring ST
LOS Angeles, CA 90012
United States

FEDERAL CORRECTIONAL INSTITUTION
P.O. BOX 6000
FLORENCE, COLORADO 81223

DATE 11/18/14 11167
SPECIAL/LEGAL MAIL

The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has neither been opened nor inspected. If the writer raises a question or a problem over which the agency has jurisdiction, you may wish to return the material for further information or direction. If the writer encloses correspondence by forwarding to another addressee, please return the enclosed to the above address.